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FILED

JUNE 19, 2007

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY
DEPT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF :
MONIR A. DAWOUD, M.D.
REVOCATION OF LICENSE No. MA 03662200
TO PRACTICE MEDICINE AND SURGERY
IN THE STATE OF NEW JERSEY :

ADMINISTRATIVE ACTION
FINAL ORDER

This matter was opened to the State Board of Medical Examiners by the Attorney General of New Jersey, by Joan D. Gelber, Deputy Attorney General, regarding resolution of an investigation into the professional conduct of Monir A. Dawoud, M.D.

Dr. Dawoud is the holder of license number MA 03662200 and has been licensed to practice medicine during all times pertinent herein. His current address of record is 7 Coltsfoot Glen, Saddle River, NJ 07458. He has held himself out as a specialist in surgery. Dr. Dawoud is represented by the law firm of DeCotiis, Fitzpatrick Cole & Wisler.

On September 26, 2005, with the advice of his counsel, Dr. Dawoud waived Indictment and trial by jury and requested to be tried before the Court on Accusation #05-09-838A in the Superior Court, Law Division-Criminal, Essex County, New Jersey. The Accusation alleged that respondent had knowingly acted as a runner; that is, a person who, for a pecuniary benefit, procures or attempts to procure a client, patient or customer at the direction of, request of or in cooperation with a provider, whose purpose was to seek to obtain benefits under a contract of insurance or assert a claim against an insured or an insurance carrier for providing services to the client, patient or customer, contrary to the provisions of N.J.S.A. 2C:21-22.1 and N.J.S.A. 2C:2-6. See Exhibit A attached.

CERTIFIED TRUE COPY

On September 15, 2006, Dr. Dawoud entered a plea, and admitted before the Hon. Michael Casale, J.S.C., Superior Court, Law Division - Criminal Part, Essex County, that between January 5th, 2000 and September 5th, 2000 he made referrals to Dr. Leclercq Adisson in East Orange, New Jersey for the purpose of Dr. Adisson's administration of MRI scans to those patients.* Dr. Dawoud admitted that in return for those referrals, he agreed to and did accept pecuniary benefit payments for those referrals, knowing that such conduct would be in violation of the law. Dr. Dawoud pled guilty to the charge of criminal use of runners, N.J.S.A. 2C:21-22(a)1.

On February 16, 2007, respondent appeared at court and presented in mitigation of criminal sentence his reported medical condition, certain cooperation with the Attorney General's Office, and a February 8, 2007 letter by which Dr. Dawoud submitted his medical license to the Board of Medical Examiners, seeking retirement for medical reasons.

The Court accepted Respondent's plea to Accusation 5-9-838A, Criminal Use of Runners, 3rd degree. The Judge noted aggravating and mitigating factors for sentencing and found that the conduct being punished resulted from the doctor's practice of medicine. Pursuant to the terms of a plea agreement entered into by Dr. Dawoud and the Division of Criminal Justice, and accepted by the Court, Dr. Dawoud agreed to assessment of penalties, costs and other assessments, and was sentenced to 364 days at the Essex County Jail, which sentence would be suspended upon the successful completion of a two-year period of probation. Dr. Dawoud was required to cooperate with the State and give truthful testimony if testimony is required in the future, all as reflected in the final Order of Judgment of Conviction, to be attached hereto as Exhibit C.

The above criminal conviction constitutes grounds for disciplinary action by the State Board of Medical Examiners pursuant to N.J.S.A. 45:1-21(f), in that respondent has been convicted of acts constituting a crime or offense involving moral turpitude or relating adversely to the activity regulated by the Board. Respondent is also a second offender, pursuant to N.J.S.A. 45:1-25 as amended by P.L. 2001, c. 307; in that by Order filed May 17, 1990, the State Board of Medical Examiners revoked respondent's then current license on the ground that he had been criminally convicted of two counts of submitting false medical reports to the United States Immigration and

*The license of Leclercq Adisson, M.D. was revoked by the State Board of Medical Examiners on September 22, 2005.

Naturalization Service in violation of 18 U.S.C. A. §§1001 and 1002; see 5/19/90 Medical Board Order, Exhibit B. Dr. Dawoud had falsely reported that two aliens had tested negative for AIDS virus antibodies when, in fact, respondent knew that both aliens had in fact tested positive for AIDS. The license was later reinstated on November 14, 1990 with a three-year probationary period. Thereafter, in reliance upon claimed compliance with the probation, the Board removed the restrictions on March 9, 1994. Respondent's use of runners in the current offense includes a date less than six years after the Board entrusted him to return to practice.

Dr. Dawoud, having had the opportunity to confer with his attorney, and desirous of resolving this matter amicably in lieu of imminently anticipated litigation, has agreed to the permanent surrender of his medical license by the Board of Medical Examiners, to be deemed a revocation.

The Board having considered the totality of the circumstances in light of Dr. Dawoud's resolution of Accusation 05-09-838A in accordance with the terms of the aforementioned plea agreement, and having determined to waive assessment of monetary penalty to the Board as otherwise authorized by N.J.S.A. 45:1-22 and 45:1-25, and for good cause shown,

IT IS, ON THIS 13th DAY OF *June* 2007

ORDERED:

1. The voluntary surrender by Monir A. Dawoud, M.D. of his license to practice medicine and surgery in the State of New Jersey is hereby accepted, and deemed a revocation with prejudice to any future petition for reinstatement.
2. Dr. Dawoud shall promptly return his original engrossed license, current biennial registration, and State Controlled Drug Registrations to the Board offices at P.O. Box 183, 140 E. Front St., Trenton, New Jersey 08625-0183, within 10 days of the entry of this Order.
3. Dr. Dawoud shall immediately notify the federal Drug Enforcement Administration (DEA) of this Order.
4. Dr. Dawoud shall comply with the attached "Directives Applicable to Any Medical Board Licensee Who is Disciplined or Whose Surrender of Licensure Has Been Accepted," which is incorporated by reference herein.
5. This Order is intended to resolve all administrative and license issues arising with Dr. Dawoud, which could have been alleged as violations by the Attorney General in administrative

disciplinary proceedings with regard to Dr. Dawoud's responsibilities to the New Jersey State Board of Medical Examiners. The entry of this Order shall not limit the authority of the Attorney General or of any other person or agency, to initiate any other action permitted by law, whether administrative, civil or criminal, in any court of competent jurisdiction or other forum.

THIS ORDER IS EFFECTIVE UPON ENTRY.

STATE BOARD OF MEDICAL EXAMINERS*

BY: Sindy Paul, MD
Sindy Paul, M.D.
President

I have read and understood the
within Order and agree to be
bound by its terms. I consent to
the entry of the Order by the Board
of Medical Examiners.

Monir A. Dawoud, M.D.
Monir A. Dawoud, M.D.

Witness:

William R. Lundsten, Esq.
William R. Lundsten, Esq.
Counsel to Dr. Dawoud

* Board member George J. Ciechanowski, M.D. was recused from discussion and vote on this matter.

**DIRECTIVES APPLICABLE TO ANY MEDICAL BOARD LICENSEE
WHO IS DISCIPLINED OR WHOSE SURRENDER OF LICENSURE
HAS BEEN ACCEPTED***

All licensees who are the subject of a disciplinary order of the Board are required to provide the information required on the Confidential Information page enclosed with these directives. The information provided will be maintained separately and will not be part of the public document filed with the Board. Failure to provide the information required may result in further disciplinary action for failing to cooperate with the Board, as required by N.J.A.C. 13:45C-1 et seq. Paragraphs 1 through 4 below shall apply when a license is suspended or revoked or permanently surrendered, with or without prejudice. Paragraph 5 applies to licensees who are the subject of an order which, while permitting continued practice, contains a probation or monitoring requirement.

1. Document Return and Agency Notification

The licensee shall promptly forward to the Board office at Post Office Box 183, 140 East Front Street, 2nd floor, Trenton, New Jersey 08625-0183, the original license, current biennial registration and, if applicable, the original CDS registration. In addition, if the licensee holds a Drug Enforcement Agency (DEA) registration, he or she shall promptly advise the DEA of the licensure action. (With respect to suspensions of a finite term, at the conclusion of the term, the licensee may contact the Board office for the return of the documents previously surrendered to the Board. In addition, at the conclusion of the term, the licensee should contact the DEA to advise of the resumption of practice and to ascertain the impact of that change upon his/her DEA registration.)

2. Practice Cessation

The licensee shall cease and desist from engaging in the practice of medicine in this State. This prohibition not only bars a licensee from rendering professional services, but also from providing an opinion as to professional practice or its application, or representing him/herself as being eligible to practice. (Although the licensee need not affirmatively advise patients or others of the revocation, suspension or surrender, the licensee must truthfully disclose his/her licensure status in response to inquiry.) The disciplined licensee is also prohibited from occupying, sharing or using office space in which another licensee provides health care services. The disciplined licensee may contract for, accept payment from another licensee for or rent at fair market value office premises and/or equipment. In no case may the disciplined licensee authorize, allow or condone the use of his/her provider number by any health care practice or any other licensee or health care provider. (In situations where the licensee has been suspended for less than one year, the licensee may accept payment from another professional who is using his/her office during the period that the licensee is suspended, for the payment of salaries for office staff employed at the time of the Board action.)

A licensee whose license has been revoked, suspended for one (1) year or more or permanently surrendered must remove signs and take affirmative action to stop advertisements by which his/her eligibility to practice is represented. The licensee must also take steps to remove

his/her name from professional listings, telephone directories, professional stationery, or billings. the licensee's name is utilized in a group practice title, it shall be deleted. Prescription pads bearing the licensee's name shall be destroyed. A destruction report form obtained from the Office of Drug Control (973-504-6558) must be filed. If no other licensee is providing services at the location, all medications must be removed and returned to the manufacturer, if possible, destroyed or safeguarded. (In situations where a license has been suspended for less than one year, prescription pads and medications need not be destroyed but must be secured in a locked place for safekeeping.)

3. Practice Income Prohibitions/Divestiture of Equity Interest in Professional Service Corporations and Limited Liability Companies

A licensee shall not charge, receive or share in any fee for professional services rendered by him/herself or others while barred from engaging in the professional practice. The licensee may be compensated for the reasonable value of services lawfully rendered and disbursements incurred on a patient's behalf prior to the effective date of the Board action.

A licensee who is a shareholder in a professional service corporation organized to engage in the professional practice, whose license is revoked, surrendered or suspended for a term of one (1) year or more shall be deemed to be disqualified from the practice within the meaning of the Professional Service Corporation Act. (N.J.S.A. 14A:17-11). A disqualified licensee shall divest him/herself of all financial interest in the professional service corporation pursuant to N.J.S.A. 14A:17-13(c). A licensee who is a member of a limited liability company organized pursuant to N.J.S.A. 42:1-44, shall divest him/herself of all financial interest. Such divestiture shall occur within 90 days following the entry of the Order rendering the licensee disqualified to participate in the applicable form of ownership. Upon divestiture, a licensee shall forward to the Board a copy of documentation forwarded to the Secretary of State, Commercial Reporting Division, demonstrating that the interest has been terminated. If the licensee is the sole shareholder in a professional service corporation, the corporation must be dissolved within 90 days of the licensee's disqualification.

4. Medical Records

If, as a result of the Board's action, a practice is closed or transferred to another location, the licensee shall ensure that during the three (3) month period following the effective date of the disciplinary order, a message will be delivered to patients calling the former office premises, advising where records may be obtained. The message should inform patients of the names and telephone numbers of the licensee (or his/her attorney) assuming custody of the records. The same information shall also be disseminated by means of a notice to be published at least once per month for three (3) months in a newspaper of general circulation in the geographic vicinity in which the practice was conducted. At the end of the three month period, the licensee shall file with the Board the name and telephone number of the contact person who will have access to medical records of former patients. Any change in that individual or his/her telephone number shall be promptly reported to the Board. When a patient or his/her representative requests a copy of his/her medical record or asks that that record be forwarded to another health care provider, the licensee shall promptly provide the record without charge to the patient.

NOTICE OF REPORTING PRACTICES OF BOARD
REGARDING DISCIPLINARY ACTIONS

Pursuant to N.J.S.A. 52:14B-3(3), all orders of the New Jersey State Board of Medical Examiners are available for public inspection. Should any inquiry be made concerning the status of a licensee, the inquirer will be informed of the existence of the order and a copy will be provided if requested. All evidentiary hearings, proceedings on motions or other applications which are conducted as public hearings and the record, including the transcript and documents marked in evidence, are available for public inspection, upon request.

Pursuant to 45 CFR Subtitle A 60.8, the Board is obligated to report to the National Practitioners Data Bank any action relating to a physician which is based on reasons relating to professional competence or professional conduct: (1) Which revokes or suspends (or otherwise restricts) a license; (2) Which censures, reprimands or places on probation; (3) Under which a license is surrendered.

Pursuant to 45 CFR Section 61.7, the Board is obligated to report to the Healthcare Integrity and Protection (HIP) Data Bank, any formal or official actions, such as revocation or suspension of a license (and the length of any such suspension), reprimand, censure or probation or any other loss of license or the right to apply for, or renew, a license of the provider, supplier, or practitioner, whether by operation of law, voluntary surrender, non-renewability, or otherwise, or any other negative action or finding by such federal or State agency that is publicly available information.

Pursuant to N.J.S.A. 45:9-19.13, if the Board refuses to issue, suspends, revokes or otherwise places conditions on a license or permit, it is obligated to notify each licensed health care facility and health maintenance organization with which a licensee is affiliated and every other board licensee in this state with whom he or she is directly associated in private medical practice.

In accordance with an agreement with the Federation of State Medical Boards of the United States, a list of all disciplinary orders are provided to that organization on a monthly basis. Within the month following entry of an order, a summary of the order will appear on the public agenda for the next monthly Board meeting and is forwarded to those members of the public requesting a copy. In addition, the same summary will appear in the minutes of that Board meeting, which are also made available to those requesting a copy. Within the month following entry of an order, a summary of the order will appear in a Monthly Disciplinary Action Listing which is made available to those members of the public requesting a copy. On a periodic basis the Board disseminates to its licensees a newsletter which includes a brief description of all of the orders entered by the Board. From time to time, the Press Office of the Division of Consumer Affairs may issue releases including the summaries of the content of public orders.

Nothing herein is intended in any way to limit the Board, the Division or the Attorney General from disclosing any public document.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL
COUNTY OF ESSEX
ACCUSATION NO:

05-09-8384

STATE OF NEW JERSEY)

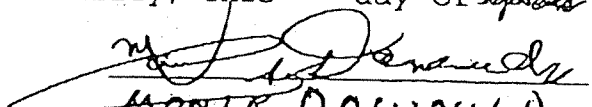
v.)


MONIR DAWOULD)

WAIVER OF INDICTMENT
AND TRIAL BY JURY

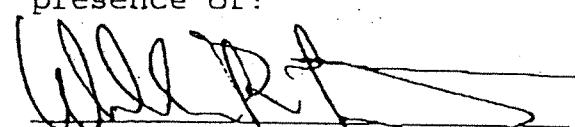
I, Monir Dawould, the above named defendant, charged in
count one with third degree Criminal Use of Runners, in violation
of N.J.S.A. 2C:1-22.1 and being advised of the nature of the
charges against me and of my right to indictment and trial by
jury and request to be tried before this Court.

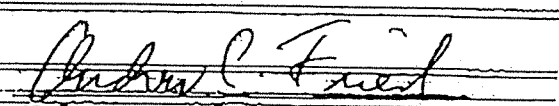
Dated in Essex County, New Jersey, this 26th day of September 2005


Approved: MONIR DAWOULD


Judge of the Superior Court

Signed and delivered in the
presence of:


William R. Lundsten, Esq.


Andrew C. Fried
Deputy Attorney General

Exh. A

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL
COUNTY OF ESSEX
ACCUSATION NO:

05-09-838-A

STATE OF NEW JERSEY)

v.)
MONIR DAWOULD)

ACCUSATION

MONIR DAWOULD, having in writing waived indictment and trial by jury on the charge of third degree Criminal Use of Runners, and having requested to be tried upon these charges by the Court and said request having been granted:

Deputy Attorney General Andrew C. Fried, for the State of New Jersey, alleges that:

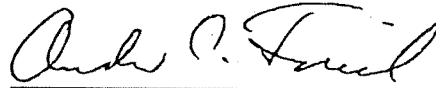
COUNT ONE

USE OF RUNNERS - THIRD DEGREE

MONIR DAWOULD

between on or about January 5, 2000 and on or about September 5, 2001, at the City of East Orange, in the County of Essex, and in the City of Union City, in the County of Hudson, elsewhere, and within the jurisdiction of this Court, the said MONIR DAWOULD, a licensed medical doctor and healthcare provider, pursuant to N.J.S.A. 2C:21-22.1, knowingly did act as a runner, a person who, for a pecuniary benefit, procures or attempts to procure a client, patient or customer at the direction of, request of or in cooperation with a provider, whose purpose was to seek to obtain benefits under a contract of insurance or assert a claim against

an insured or an insurance carrier for providing services to the client, patient or customer; that is, the said MONIR DAWOULD knowingly did provide patients from his medical practices to LeClerc Adisson, M.D. of East Orange, New Jersey, for the purpose of the said MONIR DAWOULD'S patients receiving MRI scans in return for which the said MONIR DAWOULD obtained a pecuniary benefit, cash money, and which occurred at the direction of, request of or in cooperation with LeClerc Adisson, M.D., whose purpose was to assert a claim against or seek to obtain benefits under a contract of insurance for providing health care services to the patients, contrary to the provisions of N.J.S.A. 2C:21-22.1 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.



Andrew C. Fried
Deputy Attorney General

Dated: 9-26-05

FILED

May 17, 1990

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS

In the Matter of the Suspension :
or Revocation of the License of :

MONIR A. DAWOUD, M.D. :

To Practice Medicine & Surgery :
in the State of New Jersey :

Administrative Action

ORDER OF LICENSURE
REVOCATION

This matter was opened before the New Jersey State Board of Medical Examiners (the "Board") upon the filing of a complaint and notice of hearing by Robert J. Del Tufo, Attorney General of New Jersey, by Deborah E. Winston, Deputy Attorney General, on March 21, 1990. Therein, complainant Attorney General alleged that respondent Monir A. Dawoud, M.D., had entered a guilty plea and had been convicted in the United States District Court for New Jersey upon two counts of submitting false medical reports to the United States Immigration and Naturalization Service ("INS") in violation of 18 U.S.C. 1001 and 1002.* In both instances, Dr. Dawoud was charged with knowingly and willingly having prepared and caused to be prepared for submission to the INS false, fictitious and fraudulent medical reports for aliens seeking resident status. Specifically, Dr. Dawoud represented in both

* The first charge concerned a report submitted on or about July 13, 1989 and was set forth within a one count indictment filed July 22, 1989 and the second charge concerned a report submitted on or about May 22, 1989 and was set forth within a one count information filed November 30, 1989.

Exh B

"CERTIFIED TRUE COPY"

reports that the subjects of the report had tested negative for AIDS virus antibodies, when in fact respondent knew that both aliens had in fact tested positive for AIDS. Complainant was sentenced by Judge Thompson, U.S.D.J., on or about February 2, 1990; terms of the sentence included, but were not limited to, a five year period of probation (the first six months of which respondent was to be confined to his house) and 400 hours of community service within the medical field. Complainant alleged that the conviction was for a crime of moral turpitude as well as a crime relating adversely to the practice of medicine, thereby constituting grounds for revocation or suspension of licensure pursuant to N.J.S.A. 45:1-21(f) and N.J.S.A. 45:9-16(c). Complainant additionally alleged that the conviction conclusively established facts which demonstrated that respondent engaged in the use or employment of dishonesty, deception, misrepresentation, false promise or false pretense, in violation of N.J.S.A. 45:1-21(b) and professional misconduct in violation of N.J.S.A. 45:1-21(e).

Respondent admitted the essence of the allegations of the complaint within his answer filed on April 2, 1990. Therein, respondent specifically admitted that he had plead guilty and been convicted upon the two above set forth charges. Respondent further stated that he did not contest the fact that conviction of a serious offense is invariably appropriate grounds for regulatory sanction, however respondent requested an opportunity to appear before the Board and speak in mitigation of penalty.

On April 25, 1990, a hearing in mitigation of penalty was

held before a meeting of the Board convened in Cranford, New Jersey. Complainant Attorney General appeared, represented by Deborah E. Winston, Deputy Attorney General. Respondent Dr. Dawoud appeared, represented by Dickson, Creighton & Lowenstein, Roger A. Lowenstein, Esq., appearing. At said hearing, the Board entertained argument of counsel, following which Dr. Dawoud was sworn upon his oath and responded to questions posed by members of the Board. Counsel for Dr. Dawoud noted that Judge Thompson had commented that Dr. Dawoud's crime was an "isolated event" and that the sentence had been fashioned in a manner so as to allow Dr. Dawoud to "give back" to his community. Dr. Dawoud stated that one of the two aliens involved had approached him and repeatedly "begged" him to falsify the report in order to prevent possible deportation. Dr. Dawoud also stated that said alien was a patient of his at the time and that he has continued to treat the patient since the time the report was prepared. Respondent additionally testified concerning charitable actions and activities he had been involved in including his having provided approximately \$8000 per month in financial support to a community medical clinic.

Based upon our review of the record before us, the Board preliminarily finds that the charges against respondent Dr. Dawoud have been proven and provide grounds for this Board to take action against the license of Dr. Dawoud. We thus find respondent's conviction to have been a conviction of a crime involving moral turpitude as well as a conviction of a crime relating adversely to the practice of medicine, and we find that

the convictions establish facts which demonstrate that respondent engaged in the use or employment of dishonesty, deception, misrepresentation, false promise or false pretense and professional misconduct.

We find Dr. Dawoud's actions to be indefensible and inexcusable and conclude that those actions warrant the penalty of licensure revocation. By deliberately falsifying medical records, Dr. Dawoud usurped the public trust placed upon him as a medical licensee and shattered the expectation of accuracy and reliability implicit in medical records. We have in the past consistently recognized that deliberate falsification of records is grounds for the revocation of licensure, and note that upon judicial review, the Appellate Division has held that the deliberate falsification of medical records must be regarded as the equivalent of gross malpractice; thus, we cite to In re Jascalevich License Revocation, 182 N.J. Super. 455, 471-2 (App. Div. 1982) and adopt the below set forth comments concerning the duty of a physician to prepare accurate and truthful medical records and the effects of deliberate falsification of records:

We are persuaded that a physician's duty to a patient cannot but encompass his affirmative obligation to maintain the integrity, accuracy, truth and reliability of the patient's medical record. His obligation in this regard is no less compelling than his duties respecting diagnosis and treatment of the patient ... We hold, therefore, that a deliberate falsification by a physician of his patient's medical record ... must be regarded as gross malpractice endangering the health or life of his patient.

Although Dr. Dawoud has argued in mitigation that the first falsification of records was done at the behest of the patient

involved, no such defense exists for the second action to which Dr. Dawoud plead guilty, which action was done in return for the payment of \$2050.00. The Board finds the fact that Dr. Dawoud falsified at least one of the records solely in return for a substantial monetary payment only compounds the gravity of the offense.

Based upon our findings of fact and conclusions of law set forth above, we have concluded that the license of Dr. Dawoud must be revoked. Deliberate and knowing falsification of a medical record is an action which this Board cannot and will not tolerate. Notwithstanding this determination, however, the Board has carefully considered and looked favorably upon the testimony offered in mitigation of penalty, and, based thereon, has concluded that Dr. Dawoud may seek leave to reapply for licensure within four months provided that he first perform 200 hours of community service as a non-physician working with AIDS patients or organizations providing services to AIDS patients and that he provide the Board with documentation concerning the claims that he has made concerning his charitable actions and his financial support of his community medical clinic.

WHEREFORE, it is on this 15th day of MAY, 1990

ORDERED:

1. The license of Monir A. Dawoud, M.D., is hereby revoked. Said revocation shall be effective on May 25, 1990 (thirty days after the decision to revoke was announced to Dr. Dawoud at the Board hearing on this matter). Dr. Dawoud shall forthwith comply

with the directives regarding future activities of medical board licensees who have been disciplined appended hereto and incorporated herein.

2. Dr. Dawoud is hereby assessed a civil penalty in the amount of \$5000.00. Dr. Dawoud may make application to the Board to arrange a schedule of payments for satisfaction thereof.

3. Dr. Dawoud may have leave to reapply for licensure no sooner than four months after the revocation imposed herein shall be effective, however the Board shall only grant leave to reapply and then consider Dr. Dawoud's application if Dr. Dawoud shall first demonstrate to the Board that he has performed a minimum of 200 hours of community service as a non-physician working with AIDS patients or with organizations or institutions providing services to AIDS patients.** Additionally, Dr. Dawoud must first supply the Board with documentation supporting the testimony he offered before the Board concerning the losses sustained by his medical clinic and his personal burdening of said losses and concerning his other charitable activities.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

By: Michael B. Grossman D.O.
Michael B. Grossman, D.O.
Board President

** It is this Board's expectation that the 200 hours of community service which Dr. Dawoud shall first perform as a non-physician prior to seeking leave to re-apply be in addition to any community service obligations that are imposed upon him pursuant to the sentence entered in the federal action and that said community service thus not be "double counted" both in satisfaction of the requirements of this order and in satisfaction of any federal sentencing obligations.

Suspended Sentence

State of New Jersey *CS99-7933 D1*

v.

New Jersey Superior Court
Law Division - Criminal
Essex CountyDefendant:
(Specify Complete Name)**Monir Dawoud**

DATE OF BIRTH

12-1-39

SBI NUMBER

n/a

DATE OF ARREST

n/a

DATE INDICTMENT/
ACCUSATION FILEDDATE OF
ORIGINAL PLEA

9-15-06

ORIGINAL PLEA

☐ Not Guilty☐ Guilty☐ JUDGMENT OF CONVICTION☐ CHANGE OF JUDGMENT☐ ORDER FOR COMMITMENT☐ INDICTMENT / ACCUSATION DISMISSED☐ JUDGMENT OF ACQUITTAL

ADJUDICATION BY

☒ GUILTY PLEA

DATE: 9-15-06

☐ NON-JURY TRIAL

DATE:

☐ JURY TRIAL

DATE:

☐ DISMISSED / ACQUITTED

DATE:

ORIGINAL CHARGES

IND / ACC NO.

COUNT

DESCRIPTION

A05-09-838

1

Knowingly Acting As, Or Using, A Runner

DEGREE

STATUTE

3

2C:21-22.1B

FINAL CHARGES

COUNT

DESCRIPTION

1

Knowingly Acting As, or Using, A Runner

DEGREE

STATUTE

3

2C:21-22.1B

It is, therefore, on 2-16-07 ORDERED and ADJUDGED that the defendant is sentenced as follows:

*364 day County Jail sentence suspended until Probation term completed.

Suspended Sentence--Conditions of Sentence--Pursuant to 2C:45-1.

The imposition of sentence will be suspended for that period of time. The

conditions are as follows: (1) arrest free; (2) cooperation w./State- Re: testimony.

Court recommends that Probation be transferred to Bergen County.

*DNA Sample at defendant's cost.

*364 day County Jail sentence suspended until probation term completes.

COUNT 1: Probation--2 yrs.. As a condition of probation, def. is to

serve 364 days in E.C. Jail. If defendant successfully completes Probation,

then 364 day County Jail sentence will be vacated by the Court.

- ☐ The defendant is hereby sentenced to community supervision for life.
- ☐ The defendant is hereby ordered to serve a _____ year term of parole supervision which term shall begin as soon as defendant completes the sentence of incarceration.
- ☐ The court finds that the defendant's conduct was characterized by a pattern of repetitive and compulsive behavior.
- ☐ The court finds that the defendant is amenable to sex offender treatment.
- ☐ The court finds that the defendant is willing to participate in sex offender treatment.
- ☐ The defendant is hereby ordered to provide a DNA sample and ordered to pay the costs for testing of the sample provided.
- ☐ It is further ORDERED that the sheriff deliver the defendant to the appropriate correctional authority.

☐ Defendant is to receive credit for time spent in custody (R. 3:21-8).

TOTAL NUMBER OF DAYS

DATE: (From/To)

☐ Defendant is to receive gap time credit for time spent in custody (N.J.S.A. 2C:44-5b(2)).TOTAL NUMBER
OF DAYS

DATE: (From/To)

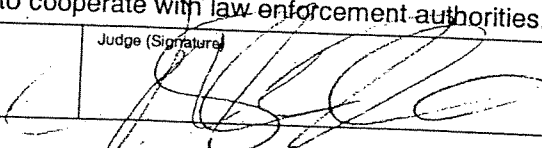
DATE: (From/To)

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Total Custodial Term 364 daysInstitution E.C. JailTotal Probation Term 2 yrs.

TRUE COPY

Exhibit C

<p>Total Fine \$ _____</p> <p>Total RESTITUTION \$ _____</p> <p>If the offense occurred on or after December 23, 1991, an assessment of \$50 is imposed on each count on which the defendant was convicted unless the box below indicates a higher assessment pursuant to N.J.S.A. 2C:43-3.1. (Assessment is \$30 if offense is on or after January 9, 1986 but before December 23, 1991, unless a higher penalty is noted. Assessment is \$25 if offense is before January 9, 1986.)</p> <p><input checked="" type="checkbox"/> Assessment imposed on count(s) <u>1</u> is \$<u>50.00</u> each.</p> <p>Total VCCB Assessment \$50.00</p> <p>Installment payments are due at the rate of \$<u>25.00</u> per <u>Month</u> beginning <u>2-16-07</u> (Date)</p>	<p>If any of the offenses occurred on or after July 9, 1987, and is for a violation of Chapter 35 or 36 of Title 2C,</p> <p>1) A mandatory Drug Enforcement and Demand Reduction (D.E.D.R.) penalty is imposed for each count. (Write in # times for each.)</p> <table style="width: 100%;"><tr><td>_____ 1st Degree @ \$3000</td><td>_____ 4th Degree @ \$750</td></tr><tr><td>_____ 2nd Degree @ \$2000</td><td>_____ Disorderly Persons or Petty Disorderly Persons @ \$500</td></tr><tr><td>_____ 3rd Degree @ \$1000</td><td></td></tr></table> <p style="text-align: right;">Total D.E.D.R. Penalty \$ _____</p> <p><input type="checkbox"/> Court further Orders that collection of the D.E.D.R. penalty be suspended upon defendant's entry into a residential drug program for the term of the program.</p> <p>2) A forensic laboratory fee of \$50 per offense is ORDERED. _____ Offenses @ \$50.</p> <p style="text-align: right;">Total Lab Fee \$ _____</p> <p>3) Name of Drugs involved _____</p> <p>4) A mandatory driver's license suspension of _____ months is ORDERED. The suspension shall begin today, _____ and end _____. Driver's License Number _____</p> <p>(IF THE COURT IS UNABLE TO COLLECT THE LICENSE, PLEASE ALSO COMPLETE THE FOLLOWING.)</p> <p>Defendant's Address _____</p> <p>Eye Color _____ Sex _____ Date of Birth <u>12-1-39</u></p> <p><input type="checkbox"/> The defendant is the holder of an out-of-state driver's license from the following jurisdiction _____. Driver's License Number _____</p> <p><input type="checkbox"/> Defendant's non-resident driving privileges are hereby revoked for _____ months.</p>	_____ 1 st Degree @ \$3000	_____ 4 th Degree @ \$750	_____ 2 nd Degree @ \$2000	_____ Disorderly Persons or Petty Disorderly Persons @ \$500	_____ 3 rd Degree @ \$1000	
_____ 1 st Degree @ \$3000	_____ 4 th Degree @ \$750						
_____ 2 nd Degree @ \$2000	_____ Disorderly Persons or Petty Disorderly Persons @ \$500						
_____ 3 rd Degree @ \$1000							
<p>If the offense occurred on or after February 1, 1993 but was before March 13, 1995 and the sentence is to probation or to a state correctional facility, a transaction fee of up to \$1.00 is ordered for each occasion when a payment or installment payment is made. (P.L. 1992, c. 169). If the offense occurred on or after March 13, 1995 and the sentence is to probation, or the sentence otherwise requires payments of financial obligations to the probation division, a transaction fee of up to \$2.00 is ordered for each occasion when a payment is made. (P.L. 1995, c. 9). \$2.00</p>							
<p>If the offense occurred on or after August 2, 1993, a \$75 Safe Neighborhood Services Fund assessment is ordered for each conviction. (P.L. 1993, c.220) \$715.00</p>							
<p>If the offense occurred on or after January 5, 1994 and the sentence is to probation, a fee of up to \$25 per month for the probationary term is ordered. (P.L. 1993, c. 275) Amount per month \$ _____.</p>							
<p>If the crime occurred on or after January 9, 1997, a \$30 Law Enforcement Officers Training and Equipment Fund penalty is ordered. \$30.00</p>							
<p>If the crime occurred on or after May 4, 2001, and the defendant has been convicted of aggravated sexual assault, aggravated criminal sexual contact, kidnapping under 2C:13-1c(2), endanger the welfare of a child by engaging in sexual conduct which would impair or debauch the morals of a minor under 2C:24-4a, endangering the welfare of a child pursuant to 2C:24-4b(4), luring or enticing a child pursuant to 2C:13-6, criminal sexual contact pursuant to 2C:14-3b if the victim is a minor, kidnapping pursuant to 2C:13-1, criminal restraint pursuant to 2C:13-2 or false imprisonment pursuant to 2C:13-3 if the victim is a minor and the offender is not the parent, promoting child prostitution pursuant to 2C:34-1b(3) or (4), or an attempt to commit any of these crimes, a \$800 Statewide Sexual Assault Nurse Examiner Program Penalty is ordered for each of these offenses.</p>							
Name (Court Clerk or Person preparing this form) Jomein DeMaio	Telephone Number 973-693-5812	Name (Attorney for Defendant at Sentencing) W. Lundsten					
STATEMENT OF REASONS – Include all applicable aggravating and mitigating factors							
<p>AGG FACTORS</p> <p>(9) The need for deterring the defendant and others from violating the law;</p> <p>MIT FACTORS</p> <p>(7) The defendant has no history of prior delinquency or criminal activity or has led a law-abiding life for a substantial period of time before the commission of the present offense;</p> <p>(8) The defendant's conduct was the result of circumstances unlikely to recur;</p> <p>(9) The character and attitude of the defendant indicate that he/she is unlikely to commit another offense;</p> <p>(10) The defendant is particularly likely to respond affirmatively to probationary treatment;</p> <p>(11) The imprisonment of the defendant would entail excessive hardship to himself/his dependents;</p> <p>(12) The willingness of the defendant to cooperate with law enforcement authorities.</p>							
Judge (Name) Michael R. Casale, J.S.C.	Judge (Signature) 	Date 2-16-07					